

# BOARD OF LICENSE COMMISSIONERS

City Hall, 718 Main Street

Fitchburg MA 01420

(978) 345-9557

William A. Judge, Chairman

Robert A. Bourque

David F. Arsenault

## MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on November 17, 2008 in the Veterans Memorial Room, City Hall, Fitchburg, and called to order by Chairman William Judge at 6:03 PM. Commissioners Robert Bourque and David Arsenault were present.

### **I. REVIEW AND ACCEPTANCE OF MINUTES FROM THE PREVIOUS MEETING.**

**The minutes from the regular meeting held on November 5, 2008 were reviewed, approved and signed.**

### **II. NEW APPLICATIONS**

The Fay Club, Inc. 658 Main St., for Change of Manager to Janelle M. McEachern.

**Approved pending receipt of clear CORI 3/0.**

Lucky Duck, Inc., d/b/a Stooges Pub, 114 River St. for Transfer of License and Change of Manager to C.B.G., Inc. d/b/a Beemers Pub, Peter C. Cote, Manager and Alteration of Premises to include outdoor patio.  
(Refer to Public Hearing December 1, 2008)

**Application accepted and sent to a public hearing on December 1, 2008 3/0.**

Maraswami Corp., d/b/a Topps Liquors, 128 Water St. for Change of Location to Unit 2 of the Central Plaza, 128 Water St.

(Refer to Public Hearing December 1, 2008)

**Application accepted and sent to a public hearing on December 1, 2008 3/0.**

### **III. CONTINUED SUMMONS HEARINGS**

Mr. Jack Hoover for Cancellation of License if licensee ceases to conduct business. License #0394 00049 480 Water St.

Mr. Jack Hoover was present. Mr. Michael Gallant, Fitchburg Building Commissioner, was present.

The hearing was continued until tonight with the following stipulations:

1. 2007 and 2008 license fees be paid.
2. Submit letter of zoning determination from Mr. Gallant regarding the planned liquor establishment.
3. Submit business plan with timeframe/construction timetable.

In regard to Item #1 – Mr. Hoover paid the 2007 and 2008 license fees to the City Treasurer on October 21, 2008.

In regard to Item #2 – A letter of zoning determination was not submitted. Mr. Hoover submitted a written list of reasons why he does not have a letter (list placed on file). Mr. Gallant stated that a letter of intent dated May 2, 2007 was received from Mr. Hoover however, the required stamped architectural plans were not submitted with the letter therefore a zoning determination letter was not issued. Mr. Hoover brought plans with him to tonight's hearing – these plans were inspected by the Board and the Building Commissioner and determined to be unstamped. Mr. Gallant noted that plans without a stamp are not final plans.

It was noted that the temporary certificate of inspection signed by the Building Commissioner and Fire Chief expired in March 2008 (a certificate of inspection is required for the annual license renewal process).

It was determined and explained to Mr. Hoover that the following steps must be completed so that a building permit may be issued and another certificate of inspection issued for the 2009 renewal process:

1. Mr. Hoover must speak to his architect to obtain and submit to the Building Commissioner: A fire suppression and protection narrative; Updated architectural plans with details including placement and number of tables and chairs and kitchen hood engineering; A narrative of upgrades to the existing building that will bring the building in to conformance with A2 use; A narrative regarding lights, heat and air conditioning plans; Detailed certified plans.
2. After all of the items listed in #1 above are submitted to and reviewed by the Building Commissioner, a building permit may be issued. These items must be submitted to the Building Commissioner by December 5, 2008.
3. An application for a temporary certificate of inspection for 2009 liquor license renewal purposes must be filed by December 5, 2008.

It was noted that the last meeting date of the License Commission in the month of December 2008 is December 15. This is the last date when a vote will be taken to renew a liquor license for 2009.

Hearing continued to December 15, 2008 3/0.

#### **IV. OTHER**

At 7:10PM by unanimous roll call vote the Board entered in to Executive Session with the intent to resume in open session. The purpose of the Executive Session was to discuss the CORI of Mr. Leo Croteau, applicant for Manager of the Civic Center.

At 7:32PM the Executive Session adjourned and open session resumed.

**The meeting adjourned at 7:58 PM.**

Respectfully submitted,

Anna M. Farrell, Clerk

Approved:

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William A. Judge

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Robert A. Bourque

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David F. Arsenault